

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WESTERN PA CHILD CARE, LLC, :
PA CHILD CARE, LLC, MID-ATLANTIC :
YOUTH SERVICES CORP., CONSULTING :
INNOVATIONS AND SERVICES, INC., :
GLADSTONE PARTNERS, LP and GREGORY R.:
ZAPPALA, :

Plaintiffs

v.

ROBERT J. POWELL, DEBRA POWELL, :
JILL MORAN, THE POWELL LAW GROUP, :
P.C., VISION HOLDINGS, LLC, JANE SEBELIN, :
SEBELIN LAW OFFICES, P.C., JONATHAN :
LANG; MATTHEW SLOCUM, and THE :
SLOCUM FIRM, P.C. :

Defendants

NOTICE OF DISMISSAL OF JONATHAN LANG

AND NOW, come Plaintiffs, Western PA Child Care, LLC, PA Child Care, LLC, Mid-Atlantic Youth Services Corp., Consulting Innovations and Services, Inc., Gladstone Partners, LP and Gregory R. Zappala, and in reliance on the exhibits attached hereto, give notice of the dismissal of Jonathan Lang, **WITHOUT PREJUDICE**.

Respectfully submitted,

/s/ Bernard M. Schneider
Bernard M. Schneider
Counsel for Plaintiffs

PA ID #32245
BRUCKER SCHNEIDER & PORTER
FIRM ID # 789
300 Weyman Road
Suite 320
Pittsburgh, PA 15236
(412) 881-6620 (telephone)
bmschn@aol.com (e-mail address)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice was served on the 8th day of August, 2014 by ECF Notice on the Following:

John R. McGinley, Jr., Esquire
Daniel B. McLane
Thomas Sanchez
Eckert Seamans Cherin & Mellott, LLC
US Steel Tower, 44th Floor
600 Grant Street
Pittsburgh, PA 15219

Stephen S. Stallings
Laura E. Caravello
Burns White LLC
Four Northshore Center
106 Isabella Street
Pittsburgh, PA 15212

and upon the following by United States mail and e-mail

The Powell Law Group, P.C.
5 Independence Avenue
Conyngham, PA 18219
jmoran@powell-group.net,

Sebelin Law Offices
120 South First Street
Lehigh, PA 18235
jane@sebelinlaw.com

Matthew Slocum
410 Spruce Street, Suite 302
Scranton, PA 18503
matt@theslocumfirm.com

The Slocum Firm, P.C.
410 Spruce Street, Suite 302
Scranton, PA 18503
matt@theslocumfirm.com

Jonathan Lang
31 Hunters Run Place
Haverhill, MA 01832-3639
jlang3@gmail.com

BRUCKER SCHNEIDER & PORTER

By: /s/ Bernard M. Schneider
Bernard M. Schneider
Counsel for Plaintiffs

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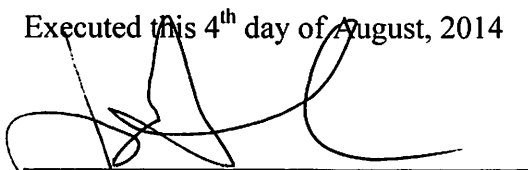
WESTERN PA CHILD CARE, LLC	:	
PA CHILD CARE, LLC, MID-ATLANTIC	:	
YOUTH SERVICES CORP., CONSULTING	:	CA 2:14-cv-968
INNOVATIONS AND SERVICES, INC.,	:	
GLADSTONE PARTNERS, LP and GREGORY R. ZAPPALA,	:	JUDGE JOY FLOWERS CONTI
	:	
Plaintiff	:	
	:	
v.	:	
	:	
ROBERT J. POWELL, DEBRA POWELL,	:	
JILL MORAN, THE POWELL LAW GROUP,	:	
P.C., VISION HOLDINGS, LLC, JANE SEBELIN	:	
SEBELIN LAW OFFICES, P.C., JONATHAN	:	
LANG, MATTHEW SLOCUM, and THE	:	
SLOCUM FIRM, P.C.	:	
Defendants	:	

DECLARATION OF JONATHAN LANG

I, Jonathan Lang, hereby declare of my personal knowledge:

1. I have never been a member of the Tort Claims Trust Advisory Committee.
2. I have no claim upon any Avoca Fees.
3. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct upon my personal knowledge.

Executed this 4th day of August, 2014



Jonathan Lang

From: Jon Lang <jlang3@gmail.com>

To: bmschn <bmschn@aol.com>

Subject: Re: Declaration of Jonathan Lang

Date: Wed, Aug 6, 2014 2:02 pm

Mr. Schneider,

Can you please direct me to the paragraphs in the complaint which define "Avoca Fees." Based upon my review it is only paragraph 144. If there is any other definition please let me know.

I don't see how there is any ambiguity with my statement that I have NO CLAIM to the "Avoca fees." I don't know how else to say that I don't have any claim to any money from the Avoca fees.

I've tried to be cooperative and reasonable with you. I called you on the 25th and you confirmed that this litigation was not directed at me personally, but only to the extent I had any claim to the avoca fees. You further stated that if I provided a declaration that confirmed I have no claim to the avoca fees you would have "no choice but to let me out." Given the complaint is devoid of any facts implicating me and you are in receipt of my declaration establishing that I have no claim to any "Avoca Fees," good faith requires you to dismiss me from this action.

Please confirm, via email, by the close of business today, that I am being dismissed from this matter.

JAL

On Tue, Aug 5, 2014 at 2:46 PM, bmschn <bmschn@aol.com> wrote:

Mr. Lang:

Thank you for your e-mail and declaration. Unfortunately, they do not fully respond to my concerns. I send this e-mail to resolve the issue of your and Slocum & Lang, P.C.'s ("Slocum & Lang") claims to "Avoca Fees" as defined in the Complaint before you go to the trouble of answering the Complaint.

In the complaints that Slocum & Lang filed on behalf of Robert Powell and Vision Holdings, LLC in Philadelphia Court of Common Pleas ("Philadelphia Litigation") and the United States District Court for the District of New Jersey ("Federal Litigation"), you pled that Mr. Powell's personal finances were rapidly depleted and his life had reached its nadir after November 2007, and in June 2008 he lacked the financial resources to retain an attorney to represent him with respect to the Purchase Agreement. On November 22, 2013, Jane Sebelin informed the United States Court for the Middle District of Pennsylvania that on November 18, 2013, Robert Powell informed her that Robert Powell and Vision Holdings were not financially capable of paying her fees. Based on this information, I believe that Robert Powell, PLG or Jill Moran has paid, is paying or has promised to pay your fees and costs and Slocum & Lang's fees and costs in the Philadelphia Litigation or the Federal Litigation either from the Avoca Fees or from a loan secured by the Avoca Fees.

Has Robert Powell, PLG or Jill Moran paid your fees and costs, or Slocum & Lang's fees and cost? Are any of them paying your fees or Slocum & Lang's fees and costs or have any of them promised to pay your fees or Slocum & Lang's fees and costs in the Philadelphia Litigation or the Federal Litigation either from the Avoca Fees or from a loan secured by the Avoca Fees?

Your answers to the foregoing questions are necessary for me to decide whether you have claim to Avoca Fees as I have used that term in the Complaint. I ask that you put your answers in the form of an affidavit or declaration.

Bernard M. Schneider

Brucker Schneider & Porter
300 Weyman Road, Suite 300
Pittsburgh, PA 15236
Telephone (412) 881-6620
Fax (412) 881-6637

-----Original Message-----

From: Jon Lang <jlang3@gmail.com>
To: bmschn <bmschn@aol.com>
Sent: Mon, Aug 4, 2014 12:59 pm
Subject: Declaration of Jonathan Lang

Attorney Schneider,

I have enclosed a declaration regarding my non-involvement with the matters set forth in the WPACC, LLC, et al, v. Powell, et. al. Complaint.

Please confirm that based upon my affidavit I will be dismissed as a Defendant from this matter. Please let me know if you need me to draft a praecipe of dismissal.

Please contact me if you have any questions or wish to discuss this matter further.

JAL

Jonathan Lang
570-579-5869